



## **REQUEST FOR PROPOSAL**

**Redevelopment of  
4370 Louisa Drive, New Orleans, Louisiana**

March 15, 2013

## PUBLIC NOTICE

### REQUEST FOR PROPOSALS FOR PURCHASE OF PROPERTY LOCATED AT 4370 LOUISA DRIVE

Notice is hereby given that the New Orleans Redevelopment Authority (NORA) is seeking proposals from qualified entities and individuals interested in purchasing and redeveloping the following site: 4370 Louisa Drive in Gentilly Woods. All materials requested herein must be received by the New Orleans Redevelopment Authority (NORA), ATTN: Kristy Sclafini at 1409 Oretha Castle Haley Blvd., New Orleans, LA 70113 or [kdsclafini@nola.gov](mailto:kdsclafini@nola.gov) no later than **March 28, 2013 at 4:00 p.m.** Only complete applications will be reviewed. Copies of the Request for Proposals may be obtained from NORA at the above address or online at [www.noraworks.org](http://www.noraworks.org). NORA reserves the right to cancel any and all solicitations and to accept or reject, in whole or in part, any and all proposals for any reason, to re-open this solicitation for subsequent phases or to redevelop the project by other means at NORA's sole discretion.

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### **BACKGROUND**

During the month of February 2013, the New Orleans Redevelopment Authority (NORA) acquired the property located at 4370 Louisa Drive in the Gentilly Woods Neighborhood, located adjacent to the former Gentilly Woods Shopping Center (See **Exhibit A**), to assist in the revitalization of the surrounding neighborhood. The Property was formerly used as a meeting facility and suffered substantial damage as a result of Hurricane Katrina. The Property has not been renovated or repaired and has remained vacant. NORA is making the site available for sale to a qualified applicant that will redevelop the site to further the revitalization of the area and to fulfill the neighborhood's goals for the area.

**NORA particularly seeks applicants who are able to promptly commence and complete development of this site in a timely manner.**

#### **1. INSTRUCTIONS TO RESPONDENTS**

NORA desires applicants who have the financial and organizational capacity to successfully implement the proposed redevelopment in a timely manner and who provides a favorable vision to utilize this site to fulfill the revitalization goals of the neighborhood.

All future development must comply with current zoning requirements or be approved for a conditional use permit. Any application for a conditional use permit would be the sole responsibility of the selected applicant. If proposed developments do not comply with the current zoning requirements, a plan to seek a zoning change or conditional use permit must be included in the proposal. Applicants must demonstrate their experience with City Planning Commission applications, review processes and public hearings with the New Orleans City Council if they seek a conditional use permit. Further, applicants submitting proposals must have the ability to obtain sufficient financial resources in a timely manner in order to complete the redevelopment project.

Applicants should submit a plan outlining their proposal for the redevelopment of the site and experience in developing similar projects.

The property will not be sold for less than the current appraised value, and the purchase of this property is not contingent on obtaining financing or qualification for financing.

## **2. PROPERTY DATA FOR 4370 LOUISA DRIVE**

The area of the Property is approximately 9,800 SF, measuring 140' x 70', located adjacent to the former Gentilly Woods Shopping Center. The project site includes a one-story brick building having an area of approximately 4,633 square feet. Subject to obtaining applicable governmental approvals, the building may be demolished or rehabilitated in order to create a successful development.

Proposals for speculative real estate development without a firm commitment from an end user may be rejected. The site is zoned C-1 (General Commercial District,) and is subject to the Inner-City Urban Corridor Overlay District. Applicants should review and be familiar with the zoning code for the property. (The zoning code can be found at:

<http://library.municode.com/index.aspx?clientID=16306&stateID=18&statename=Louisiana>)

Please be advised that NORA has owned the Property for approximately one month and NORA disclaims any knowledge as to previous uses, the condition of the Property or any permitted uses in connection with the future development of this site. All due diligence is the responsibility of the applicants and all applicants are urged to satisfy themselves with respect to the physical condition of the properties and the development thereof prior to closing. The Property will be sold **“AS IS”, “WHERE IS”**, with all defects and vices, whether latent or apparent, known or unknown. NORA makes no representation or warranty with respect to the presence or absence of hazardous materials or any other environmental conditions that may impact the value of the Property or any future development thereon. Applicants are encouraged to perform his/her own independent inspections, inquiries and due diligence concerning the Property. The selected applicant agrees to accept the Property with its current zoning, easements, restrictions and any and all rights-of-way appertaining thereto. NORA expressly discloses that the structure located on the Property is in vacant condition, may present hazardous conditions, and that entering upon the Property could result in bodily injury and property damage. Such hazards may include, but are not limited to, mold, asbestos containing materials, lead paint, vagrants illegally occupying the site, unsound trees, unstable ground and structure, broken floor boards and subsurface voids. Applicants are solely responsible for assessing the Property for such hazards, and for taking any and all precautions reasonable and necessary to protect anyone or anything on or near the Property as a consequence thereof. A copy of an environmental site assessment is available for examination by applicants upon request with the understanding that such assessment is the work product of the named

environmental consultant and will be delivered without any warranty or representation from NORA with respect thereto, including, without limitation, as to the accuracy, completeness, methodology of preparation or otherwise concerning such information. Acceptance and use of such information is with the understanding that such materials are provided only for convenience and applicants will make their own examination and determination as to accuracy of the information, and, in doing so, shall rely exclusively on their own independent investigation and evaluation of every aspect thereof and not on any information provided by NORA.

### PROPERTY LEGAL DESCRIPTION

ALL THAT CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the THIRD DISTRICT OF THIS CITY, in SQUARE NO. 38 of GENTILLY WOODS, bounded by Louisa Drive, N.O. Chef Menteur Hwy. (U.S. Hwy 90), Press Drive and Stephen Girard Avenue, designated as LOT NO. A-2, on a survey made by Gilbert, Kelly and Couturie, Inc., Sur., dated May 31, 1979, revised May 14, 1980, said lot commences 120 feet from the corner of Louisa Drive and Stephen Girard Avenue, measures thence 140 feet front on Louisa Drive, the same width in the rear, by a depth of 70 feet between equal and parallel lines. Said Lot is composed of a portion of original Lot "A".

All as more fully shown on survey by Dading, Marques & Associates, Inc., dated October 25, 2001, a copy of which is annexed to a previous act.

Municipal No. 4370 Louisa Drive, New Orleans, Louisiana.

- The Property lies in an Urban Corridor district, therefore, redevelopment must be in accordance with the Urban Corridor goals as stated in the New Orleans zoning ordinance. (See Exhibit B attached.);
- The Property is located in a mixed-use and transit oriented neighborhood with easy access to Interstate 10 and major thoroughfares;
- Prohibited uses include: tax exempt uses, day care centers, social service facility, religious assembly, currency exchange, payday loan or title loan agency, adult retail establishments, pawn shop, convenience store, liquor store, cigarette/cigar shop, gun shop, and automotive use.

### **3. PROPERTY REDEVELOPMENT**

Note that the property is adjacent to a 12 acre site located at the corner of Chef Menteur Highway and Press Drive, formerly occupied by the Gentilly Woods Mall, which site will be redeveloped as an approximately 118,000 square foot Wal-Mart retail center. The planned opening for the retail development is projected to be the spring of 2014.

### **4. PRE-BID MEETING & PROPERTY WALK-THRU**

A walk-thru of the site and building is scheduled for Friday, Monday 22, 2013 from 1:00 p.m. to 3:00 p.m. and Monday, March 25, 2013 from 10:00 a.m. to 1:00 p.m., at the site.

**Applicants are strongly encouraged to physically visit the site and to attend the interior/exterior site visit, and not rely exclusively upon the descriptions included in this RFP.**

## I. HOW TO RESPOND TO THE RFP

All applicants should submit written responses in accordance with the Instructions Section and the required documentation as set forth on the attached Developer Application. Only complete applications will be considered.

Applicants must be in good standing with the New Orleans Redevelopment Authority, State of Louisiana, City of New Orleans, and the US Department of Housing and Urban Development (HUD) to be eligible for consideration.

**All inquiries concerning this RFP should be directed in writing to:**

Kristy Sclafini, Compliance Coordinator  
1409 Oretha C. Haley Blvd.,  
New Orleans, LA 70113  
Or at kdsclafini@nola.gov.

NORA will not be responsible for any oral instructions.

1. Format of Submissions: Applicant should submit eight (8) copies of all materials, bound, and in 8-1/2" x 11" format. Also, submit a digital copy for the record. All materials should be properly identified, marked with "4370 Louisa Street Developer Application." Boilerplate, glossy and unnecessarily elaborate proposals are neither expected nor desired. The emphasis of the proposal should be on responding to the requirements set forth in this document. All proposals shall be typewritten.
2. Additional Requirements: NORA reserves the right to add any and all requirements that are needed to effectuate the goals of this project or comply with any legal requirements. NORA reserves the right to amend the instructions, requirements, general and special conditions, or scope of work. Copies of such amendments shall be posted to NORA's website.
3. Conflict of Interest: All applicants agree to disclose any, direct or indirect, current or future, conflicts of interest between themselves and NORA, and the employees of said entity. If questions arise about potential conflicts of interests, please contact NORA prior to submitting a response.
4. Ownership of Submission: All materials submitted in response to this request shall become the property of NORA. Selection or rejection of a submission does not affect this right.
5. Proprietary Information: Only information which is in the nature of legitimate trade secrets or non-published financial data may be deemed proprietary or confidential. Any material within a submission identified as such must be clearly marked as CONFIDENTIAL and will be handled in accordance with the Louisiana Public Record Act,

R.S. 44: 1-44 and applicable rules and regulations. Any submission marked as CONFIDENTIAL in its entirety may be rejected without further consideration or recourse.

6. Cost of Preparing Submission: NORA shall not be liable for any costs incurred by Applicants. Costs associated with developing the proposal, preparing for oral presentations, and any other expenses incurred by the Applicant in connection with this Application are entirely the responsibility of the Applicant and shall not be reimbursed in any manner by NORA.
7. Errors and Omissions in Proposal: NORA shall not be liable for any errors in proposals. NORA, at its option, has the right to request clarification or additional information for the Applicants. The Application and proposal of the selected Applicant may become part of any contract initiated by NORA.
8. Subcontracting Information: NORA expects to have a single contract for the Development and Purchase Agreement. The Applicant shall be responsible for all deliverables as outlined in the contract. This general requirement notwithstanding, the Applicant may enter into subcontractor arrangements, provided that none of the services covered by the Applicant's proposal shall be subcontracted without the prior written approval of NORA. NORA reserves the right to withhold approval of subcontracting such portions of the work or services (excluding subcontracting of construction work) which NORA may deem is not in its best interest. Notwithstanding any subcontracting relationship, Applicant shall retain, and must acknowledge, total responsibility for the entire project.
9. Compliance with All Applicable Laws: Any work completed pursuant to this Application shall be governed and/or construed in accordance with the laws and jurisprudence of the State of Louisiana. At the time of Applicant's submission of its proposal, Applicant shall be in compliance with all applicable laws of the State of Louisiana, the United States and local ordinances, including licensure requirements.

## II. ADDITIONAL CRITERIA

1. **EVALUATION CRITERIA & QUALIFICATIONS FOR PROPOSALS.** Applicants interested in responding to this RFP will be evaluated based on their demonstrated ability to satisfy the criteria enumerated in the Developer Application as measured by the scoring system outlined therein. In evaluating proposals, NORA will look most closely at these three measures:
  - Proposed purchase price;
  - Proposed development plan;
  - Perceived ability and capacity to acquire, (re)develop and operate the project once completed.

Only those applicants who have demonstrated the financial and organizational capacity to successfully implement the project in a timely manner will be selected. Extensive experience in commercial development and redevelopment experience in the City of New Orleans and/or Louisiana are preferred.

2. **EVALUATION PROCESS.** All proposals submitted in response to this RFP will be reviewed for their relative strengths and weaknesses. Selections will be based on the completeness and quality of responses to this solicitation. Applicants must provide accurate contact information and attest to the veracity of the information supplied. At its discretion, NORA staff may contact references and industry sources, investigate previous projects and current commitments, interview some or all of the proposed development team members, and take any other information into account in its evaluation of the responses. NORA reserves the right to request clarification or additional information and to request that proposed developers make presentations to the NORA Board of Commissioners, community groups or others. All evaluations shall be made according to the criteria set forth herein and will be made according to NORA's business judgment.

It is important that applicants demonstrate a commitment to incorporate minority and women participation, as well as small and local businesses, and if applicable, Section 3 certified individuals and businesses, in these projects, including but not limited to ownership, financing, design, construction and management. In a coordinated effort, NORA has established a 35% DBE participation goal for this project.

3. **ACT OF SALE AND DISPOSITION AGREEMENT.** Once an applicant is selected, the parties shall enter into a purchase and development agreement for the property on the standard NORA form. The selected applicant must deliver a non-refundable deposit in an amount equal to ten percent (10%) of the purchase price within ten (10) days after receipt of notice of the award. The purchaser will be permitted to access the Property to conduct its due diligence investigations following execution of the purchase and development agreement and will be required to finalize the

development plan prior to closing, which plan shall be subject to NORA's prior written approval. The closing for the sale of the Property is expected to occur within sixty (60) days after execution of the purchase and development agreement at which time the balance of the purchase price will be payable. NORA will convey the Property with an Act of Cash Sale in a form customarily used by NORA. PLEASE NOTE – NORA expects the redevelopment of the property to be completed within 12 months of purchase. The closing documents will ensure that the Property is maintained and developed in a suitable and timely manner, and provide for NORA's reversion rights in the event that the Property is not maintained and developed in such a manner. Among other matters, the purchase agreement shall ensure that the Property is maintained and developed in a suitable and timely manner, and provide for NORA's reversion rights in the event that the property is not developed as required. Among other matters, these agreements shall ensure that the property complies with the submission requirements contained in the RFP and any other regulating requirement as may be determined. The selected applicant will be responsible for all customary closing costs associated with closing including, without limitation, all recordation and closing costs, financing expenses, survey, notarial fees for passing the Act of Sale, title insurance and/or examination and all fees and costs of services related to any financing. Taxes will be prorated from the date of closing. If any of the foregoing time periods are not met, NORA may elect to cancel the award and accept another application or proceed in any other manner determined by NORA. No brokerage fee will be paid by NORA.

4. **PUBLICATION AND PROMOTION.** This RFP shall be posted on the NORA website, [www.noraworks.org](http://www.noraworks.org), advertised in the Times-Picayune and will be available upon request. The selected applicant agrees to participate in any reasonable promotional activity and to prominently display NORA signage on the site of redevelopment. Such signage must be at least as large as standard real estate "For Sale" signs as determined by NORA. The selected applicant also agrees to participate in community meetings scheduled by NORA and to make information about their plans available to the community.
5. **NORA COOPERATION.** To the extent feasible, NORA will reasonably cooperate with the selected applicant in its efforts to secure public and private incentives and permits, licenses, approvals or variances.
6. **ADDITIONAL REQUIREMENTS.** NORA reserves the right to add or modify any and all requirements that are needed to effectuate the goals of this RFP or comply with legal requirements. NORA reserves the right to amend the instructions, requirements, general and special conditions, scope of work, and specifications of this RFP up to the time set for the sale of the property. Copies of such amendments shall be furnished to all prospective bidders who have submitted proposals and shall also be posted to NORA's website. Where such amendments require significant changes in the

scope of the program, the date set for proposals may be postponed by such number of days as in the opinion of NORA shall enable prospective bidders to revise their proposals.

## **7. PROPOSED SCHEDULE**

Issuance of RFP	Friday, March 15, 2013
Site Visits (4370 Louisa)	Friday, March 22, 2013, 1:00 p.m. – 3:00 p.m. Monday, March 25, 2013 at 10:00 a.m. – 1:00 p.m.
Application due Date	Thursday, March 28, 2013 at 4:00 p.m.
Evaluation of Proposals Commence	Tuesday, April 2, 2013
Notice to Top Finalists	Tuesday, April 2, 2013
Presentation by Top Finalists	Wednesday, April 3, 2013

This schedule is subject to change, and all respondents will be provided the earliest possible notice of changes.



## DEVELOPER APPLICATION

New Orleans Redevelopment Authority (NORA) is now accepting applications from individuals and entities who are interested in acquiring and developing property owned by NORA.

**Summary of Application Process:** Interested applicants should review all of the information included in this Application to determine if their proposal will be consistent with the requirements set forth herein. **If an Applicant elects to submit a proposal, they must furnish written responses to all items requested herein, including without limitation the items listed in the Attachments Checklist.** Submissions will be evaluated based on the scoring criteria set forth below. Upon review of proposals, NORA may request, at its sole discretion, additional documentation. In addition to the required information, you may also include any other information that will be helpful in describing the project.

<b>Borrower's name &amp; type:</b> <i>(non-profit, for-profit, etc.):</i>	<input type="checkbox"/> LLC <input type="checkbox"/> Sole Owner <input type="checkbox"/> 501(c) 3 <input type="checkbox"/> Partnership <input type="checkbox"/> Joint-Venture
	Duns Number :
	Tax ID:
<b>Contact Name:</b>	
<b>Contact Phone Number:</b>	
<b>Contact Email Address:</b>	

**Submissions will be evaluated on a review of the written documentation submitted and Applicant's qualifications based upon the following criteria:**

<b>Proposed Purchase Price (35 points):</b> <i>Applicants are required to submit a competitive acquisition price for the purchase of the Property.</i>	
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**Development Experience (10 points):**

Please summarize your developer experience, including years of development experience, number of projects (and units for residential projects) completed, and any other experience that demonstrates ability to facilitate the project. *(PLEASE NOTE: If the applicant will be partnering with a developer to complete the project, please describe the partnership and include partner's developer experience.*

**Development Plan (25 points):**

**Describe the project and its design elements, including intended use(s), selected building materials and finishes, consistency with the surrounding neighborhood and development timeline. Summarize the landscaping plans, public spaces and any special features to be included and how the project compliments other nearby retail/ commercial development.**

**Financial Model (10 points):** Provide evidence of Applicant's financial ability to acquire, (re)develop and operate the Project.

**Diversity and Capacity Building (10 points):**

Provide information on the applicant's plan to encourage minority participation in the proposed project including but not limited to ownership, financing, design, construction and management positions, as well as small and local businesses, including Section 3 certified individuals and businesses. The applicant must demonstrate good faith efforts to train and employ low income and underemployed persons, and to otherwise meet NORA's Disadvantaged Business Enterprise (DBE) goals.

<b>Development Team (10 points):</b> <i>Please complete the information below for each relevant development team member. Resumes or other biographical materials that address the questions may be substituted. Please notate next to appropriate category if attaching material.</i>					
Name	Years of Experience	DBE? (mark 'X' if applicable)	Contact Name	Email	Phone
Architect					
General Contractor					
Construction Manager					
Real Estate Counsel					
<b>Proposed Use of Site and Zoning Designation:</b> <i>(Please indicate if a variance or conditional use permit is required for the proposed development and provide estimated timeline for approval)</i>					
<b>Contribution to Neighborhood and Community Support:</b> <i>Summarize the role this particular site and redevelopment plan will play in revitalizing the surrounding neighborhood and removing blighted conditions. Describe efforts of coordination with community organizations in the affected neighborhoods and describe how the project contributes to the vision and goals of these organizations for the surrounding neighborhoods. Further, describe how the project supports ongoing economic revitalization efforts in the vicinity of the surrounding neighborhood.</i>					
<b>Describe if the project will be developed under any one of the following green</b>	<input type="checkbox"/> LEED	<i>Circle the appropriate level: Certified Silver Gold Platinum</i>			
	<input type="checkbox"/> Enterprise Green Communities	<i>Does it meet or exceed minimum standards? (Circle one)</i>			
	<input type="checkbox"/> Energy Star				
	<input type="checkbox"/> Other	<i>Please explain green building techniques and energy efficient materials to be used:</i>			

<b>building standards?</b> <i>(Check where appropriate and feel free to attach additional material.)</i>		
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<b>Provide the names of the officers and any direct or indirect shareholders or members of the applicant owning 10% or more interest; for partnerships, provide the names of all General Partners and all Limited Partners owning 10% or more. For joint ventures, provide the information separately for each entity that comprises the joint venture. Also, state the role that each principal would play in the development of the site. Please use additional sheets as necessary.</b>	Shareholder or Member Name	Percentage of Ownership or Interest	General Partner or LP? (check here)	Role in Proposed Project

**Has any principal identified above OR any organization in which any principal is or was a GP, Corporate Officer or owns 10% or more been subject of any of the following:**

1. Felony conviction or pending case:  <input type="checkbox"/> Yes <input type="checkbox"/> No	2. Had an ownership or interest in a property that has received a code enforcement judgment or received multiple citations:  <input type="checkbox"/> Yes <input type="checkbox"/> No
3. In the past 5 years, failed to qualify as a responsible bidder or refused to contract after a government award has been made:  <input type="checkbox"/> Yes <input type="checkbox"/> No	4. In past 5 years, failed to file any required tax returns or failed to pay any federal, state, or city taxes or other charges:  <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>5. <i>In past 7 years, filed a bankruptcy petition or was involved in involuntary bankruptcy proceedings:</i>  <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>6. <i>Been convicted of fraud, bribery or grand larceny:</i>  <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>7. <i>Been barred by, or otherwise not in good standing with, NORA, the State of Louisiana, the City of New Orleans or the U.S. Department of Housing and Urban Development from working on such entity's projects:</i>  <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>8. <i>Have any governmental lien pending against real estate owned by applicant or any principals in Orleans Parish or elsewhere:</i>  <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><i>If you have answered <u>yes</u> to any of the above questions, please explain here.</i></p>	

**Disclosures, Representations and Warranties Letter**

***Purpose:*** *To identify any potential conflicts of interest, and/or legal risks and concerns.  
(Please include this letter with your submission)*

\_\_\_\_\_, 20\_\_\_\_

New Orleans Redevelopment Authority  
1409 Oretha Castle Haley Boulevard  
New Orleans, LA 70113  
Attention: Mr. Jeffrey P. Hebert  
Executive Director

Re: Developer Application

Dear Mr. Hebert:

This letter is being submitted in connection with our application (“Application”) with respect to the development of property owned by the New Orleans Redevelopment Authority (“NORA”).

As an authorized agent of the Applicant, I agree to include as an attachment a statement:

1. Disclosing any, direct or indirect, current or future, conflict of interest with NORA, and/or its employees;
2. Describing any litigation the Applicant, its officers, agents, partner, or members may have been subject to resulting from a previous project whether resolved or still pending.

I have received, read, and understand the provisions of the Request for Proposals. I understand that selection of an Applicant (“Applicant”) under the Request for Proposals is not final under complete documentation and final terms are executed to the satisfaction of NORA.

I recognize that any award by NORA will be subject to the following terms and conditions:

1. The selection of an Applicant will not represent any obligation or agreement on the part of NORA, which may only be incurred or entered into by a written agreement which has been (i) approved by NORA; and (ii) duly executed by Applicant and NORA. An award letter will only indicate NORA’s intention to proceed to final documentation, which may ultimately lead to the execution of such an agreement.
2. The following requirements will have to be satisfied prior to entering into a Purchase Agreement for the proposed project, which include, but are not limited to, the following:

a. The Applicant, any other potential development partner, and their respective members must successfully undergo a background check concerning their suitability to do business with the City and NORA.

b. An award will not be granted to any person or entity which, or to any entity with a Principal who: (i) has not fulfilled development responsibilities undertaken in connection with NORA, the City of New Orleans, or other governmental entities, (ii) is in default on any obligations to the City or NORA, (iii) is a former owner of any site within the proposed project, or (iv) has lost real property to the City in tax or lien enforcement proceedings.

c. The Applicant must execute legal documents in form and substance acceptable to NORA.

3. The Applicant must diligently, competently, and expeditiously comply with all requirements communicated to the Applicant by NORA.

4. NORA reserves the right to approve all future design, development plans and leases of the Project.

5. Either NORA or the Applicant may terminate negotiations at any time with or without cause. Further, an award may be terminated if Applicant does not enter into a binding agreement within sixty (60) days from the date a draft agreement is provided to Applicant, unless otherwise extended by NORA.

6. If an award is terminated by either NORA or the Applicant, whether with or without cause, or if the award terminates automatically, then neither NORA nor the Applicant will have any rights against or liabilities to the other except as otherwise agreed.

7. NORA is not obligated to pay, nor will it in fact pay, any costs or losses incurred by the Applicant at any time, including, but not limited to, the cost of: (i) any prior actions by the Applicant in order to respond to any selection process, or (ii) any future actions by the Applicant in connection with the negotiations, including, but not limited to, actions to comply with requirements of NORA, the City, or any applicable laws.

In addition, the party submitting the Application hereby certifies that such proposal is genuine and not collusive or a sham; that said Applicant has not colluded, conspired, connived or agreed, directly or indirectly, with any other Applicant or person, to put in a sham proposal or to refrain from proposing, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person to fix the proposal price or affiant or of any Applicant, or to fix any overhead, profit or cost element of said proposal price, or of that of any other Applicant, or to secure any advantage against NORA or any person interested in the proposed contract; and that all statements in said Proposal are true.

On behalf of the Applicant, I also represent that the information contained in the Developer

Application is accurate and correct.

Very truly yours,

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Signature

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Title

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Date

#### Agreement and Signature

By submitting this Developer Application, I affirm that the facts set forth in it are true and complete. I understand that if I am accepted as an applicant, any false statements, omissions, or other misrepresentations made by me on this application may result in dismissal of my application.

Company	
Name (printed)	
Signature	
Date	

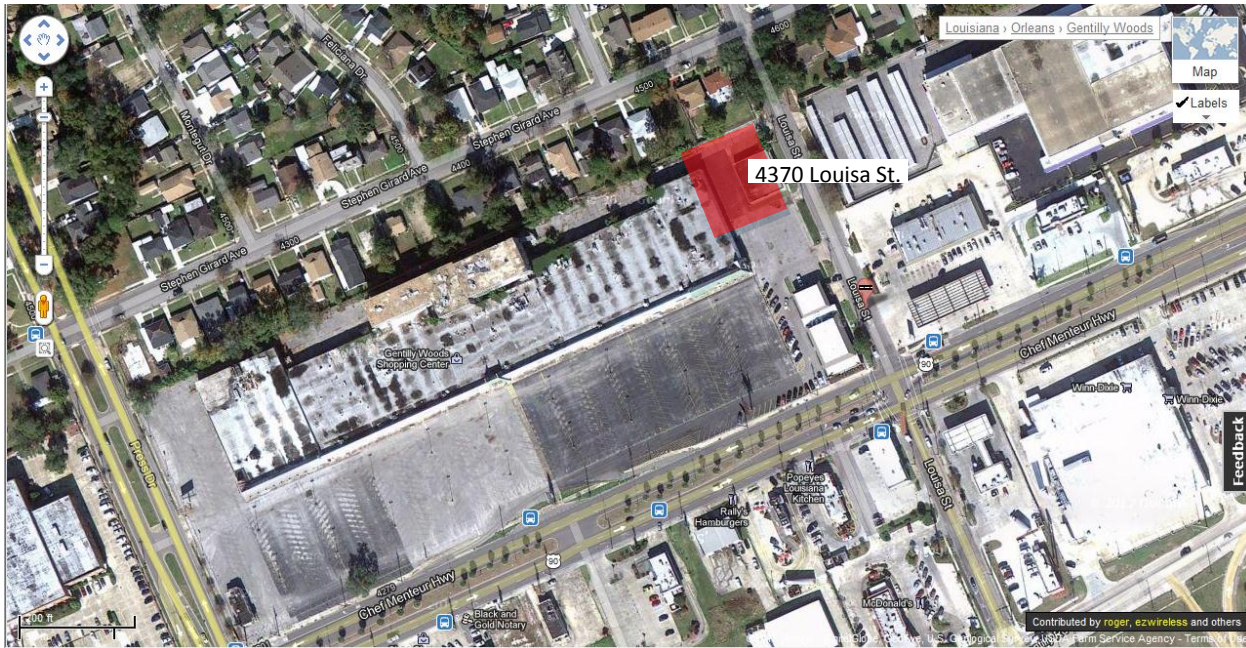
#### NORA Policy

It is NORA's policy to provide equal opportunities without regard to race, color, religion, national origin, gender, sexual preference, age, or disability. Thank you for completing this application form and for your interest in partnering with NORA. Please submit this application Kristy Sclafini, Compliance Coordinator, at [kdsclafini@nola.gov](mailto:kdsclafini@nola.gov) or 1409 Oretha Castle Haley Blvd. New Orleans, LA 70113.

<b>Attachments Checklist</b>	
1. Project Description	<input type="checkbox"/>
2. Sources and Uses	<input type="checkbox"/>
3. Development Budget	<input type="checkbox"/>
4. Projected Development Schedule <i>(must include time frames and critical dates for development)</i>	<input type="checkbox"/>
5. 2 years of audited (if available) financial statements	<input type="checkbox"/>
6. Last 3 years of income tax statements for applicant if audited financial statements are not available	<input type="checkbox"/>

## **EXHIBIT A – SITE MAP**

### **Aerial Map**



### **View from Louisa Street**



## **EXHIBIT B – INNER-CITY URBAN CORRIDOR OVERLAY DISTRICT**

### **Section 10.3A. - Inner-City Urban Corridor District.**

#### **10.3A.1. Purpose of the District.**

The purpose of the district is to provide for a superior environment, compatibility and continuity of development along major inner-city street corridors. The district is intended for application in older developed areas of the City to promote the urban design goals that support a harmonious relationship between commercial uses and the surrounding residential neighborhoods. The overlay district regulations are intended to supplement those of the underlying zoning district. These special regulations include site design requirements intended to complement land use development and to establish a positive and unified streetscape along the inner-city urban corridors.

*(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)*

#### **10.3A.2. Areas of Applicability (Inner-City Urban Corridor District).**

- a. All lots fronting on Carrollton Avenue between the Mississippi River and City Park, and all lots fronting on intersecting Hampson and Maple Streets one (1) municipal square length to the rear of the upriver side of Carrollton Avenue (area known as Riverbend Shopping Center).
- b. All lots fronting on Claiborne Avenue, Earhart Boulevard, Tulane Avenue and Canal Street, where such streets intersect with Carrollton Avenue, one (1) municipal square length from the Carrollton Avenue intersection in each direction.
- c. Those lots or developments fronting on Gentilly Boulevard between Paris Avenue and the Peoples Avenue Canal; those lots or developments along Elysian Fields Avenue from Lake Pontchartrain to N. Tonti Street; extending one square in depth in each direction at the intersection of Paris Avenue and Gentilly Boulevard; and at the intersection of Gentilly Boulevard and Elysian Fields Avenue; the entire area generally bounded by St. Denis Street, Gentilly Boulevard, Norman Mayer Avenue, to St. Anthony Avenue, to Mandolin Street, to Elysian Fields Avenue, to St. Aloysius Drive, to Mandeville Street, to Gentilly Boulevard, to Fairmont Drive, to Monterey Street, to Elysian Fields Avenue.
- d. Those squares fronting on S. Claiborne Avenue between Earhart Boulevard and Jackson Avenue, those lots having commercial or neighborhood business district zoning within squares fronting on the riverside and those squares fronting on the lakeside of S. Claiborne Avenue from Jackson Avenue to Toledano Street, the entirety of the triangular shaped commercially zoned area on the riverside of S. Claiborne Avenue bounded by S. Claiborne Avenue, Louisiana Avenue and Toledano Street, the entirety of squares fronting on the riverside of S. Claiborne Avenue between Louisiana Avenue and Jena Street (excluding those properties that are zoned RO General Office District), and those lots or developments zoned neighborhood business district on the lakeside of S. Claiborne Avenue between Toledano Street and Jena Street that have frontage on either or both S. Claiborne Avenue and Jena Street.
- e. The area bounded by the Claiborne Avenue between Conti and Gravier Streets, Gravier Street between South Claiborne Avenue and South Pierce Street, South Pierce Street between Gravier Street and Interstate 10, Interstate 10 between South Pierce Street and Banks Street, Banks Street between Interstate 10 and South Bernadotte Street, South Bernadotte Street between Banks Street and Cleveland Avenue, Cleveland Avenue between Street Bernadotte Street and South Pierce Street, Pierce Street between Cleveland Avenue and Conti Street, and Conti Street between North Pierce Street and North Claiborne Avenue.
- f. Those lots or developments fronting on Canal Street in the area bounded by City Park Avenue, South Pierce Street, Conti Street, and Cleveland Avenue.
- g. Those lots or developments with frontage on Earhart Boulevard in the area bounded by Jefferson Davis Parkway and Monticello Street.
- h. Those lots or development sites fronting on North Claiborne Avenue, between Tennessee Street and Orleans/St. Bernard Parish Line and those lots or development sites fronting on Saint Claude Avenue from Tennessee Street to the Orleans/St. Bernard Parish line.

*(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 21,538 § 1, adopted 5/6/04; Ord. 18,569 § 1 (part), adopted 1/8/98)*

*(Ord. 23,956, § 1, 4/22/10; Ord. No. 024149, § 1, adopted 10/7/10; Ord. No. 024236, § 1, adopted 12/1/10; Ord. No. 124237, § 1, adopted 12/1/10; Ord. No. 024565, § 1, adopted 9/1/11; Ord. No. 024708, § 1, adopted 12/15/11; Ord. No. 024839, § 1, adopted 4/5/12)*

#### **10.3A.3. Regulations of the Underlying Zoning District.**

Unless otherwise noted in these Inner-City Urban Corridor District regulations, the regulations of the underlying zoning district shall apply. Nothing here shall be construed to supersede standards applicable to approved site plans in pre-existing zoning districts.

*(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)*

#### **10.3A.4. Uses Authorized in the District.**

1. All uses authorized in the underlying zoning district and listed under permitted use, accessory use or conditional use shall be authorized in this district, unless otherwise indicated below in paragraph (2) of this subsection.

2. Where allowed as a permitted use in the underlying zoning district, the following shall be conditional uses within the Inner-City Urban Corridor District in the South Claiborne Avenue area of applicability described in Section 10.3A.2(d), the Inner-City Urban Corridor District in the Mid-City area of applicability described in Section 10.3A.2(e), the Inner-City Urban Corridor District in the Canal Street area of applicability described in Section 10.3A.2(f), the Inner-City Urban Corridor District in the Earhart Boulevard area of applicability described in Section 10.3A.2(g), and the Inner-City Urban Corridor District in the North Claiborne Avenue and Saint Claude Avenue areas of applicability described in Section 10.3A.2(h), upon approval of a conditional use permit under the standards and procedures contained in Section 16.6 of these zoning regulations:

- a. Fast food restaurants (with and without drive-through);
- b. Cocktail lounges;
- c. Amusement places;
- d. Gasoline service stations;
- e. Car washes or automobile laundries;\* (See Section 11.59)
- f. Automobile service stations;\* (See Section 11.3)
- g. Auto repair/auto body shops/collision centers;
- h. Stores selling package liquor;
- i. Cafeteria restaurants.

*(Ord. 23,087 § 2, adopted 5/1/08; Ord. 22,854 § 1, adopted 10/18/07; Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)*

*(Ord. No. 23,956, § 2, adopted 4/22/10; Ord. No. 024236, § 1, adopted 12/1/10; Ord. No. 024237, § 1, adopted 12/1/10; Ord. No. 024565, § 1, adopted 9/1/11; Ord. No. 024708, § 1, adopted 12/15/11; Ord. No. 024839, § 1, adopted 4/5/12)*

#### **10.3A.5. Applicability of Regulations.**

All permit applications including new construction, redevelopment, alteration and signage within the overlay district shall be subject to design review by the City Planning Commission and shall comply with the design standards of this section. Exemptions: Applications for construction, redevelopment, alteration or improvements involving single-family and two-family residential buildings shall be exempted from the provisions of these regulations.

(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)

#### **10.3A.6. Design Review Standards.**

The following design standards take precedence over ones specified in the underlying zoning districts which are less restrictive:

1. *Building Design.* A strong visual connection shall be made between the building's design and the existing character of the area. The overall building design (including its height and bulk) should be compatible with the neighborhood and shall provide for a pedestrian environment through the use of visually active ground level treatments. Where appropriate, buildings should provide climatic protection to their users by incorporation of overhangs, arcades, balconies and galleries. Architectural details, material, colors, textures and landscape treatments shall be coordinated to provide visual continuity, quality and consistency. The design vernacular and site development shall adhere to the character and scale of the surroundings.

2. *Site Development.*

a. *Setbacks.* Front yard setbacks shall be the average of the existing buildings on the block face with the installation of landscaping in any front yard setback.

b. *Vehicular Use Area—Landscaping and Screening.* Parking areas shall be designed to meet the standards set forth in Section 15.2.5 of the Comprehensive Zoning Ordinance. A continuous landscape hedge at a minimum height of thirty (30) inches shall be required along the perimeter of any vehicular use area adjacent to the public right-of-way. Alternatively, masonry wall, earth berm, metal fence and a hedge, or any combination thereof meeting the same height requirements may be substituted. Any residual areas not used for parking or vehicular access shall be landscaped with trees, shrubs and groundcover. Additionally, a landscaped island shall be required every ten (10) continuous parking spaces, to include the planting of a minimum of one (1) shade tree, shrubs and/or groundcover. All required trees shall be a minimum of ten (10) feet in height and have a minimum caliper of two (2) inches upon installation.

c. *Street Tree Planting.* Where the continuity of major street tree plantings has been interrupted, as determined by the City Planning Commission staff, the reestablishment of such planting shall be required as a condition of development/redevelopment. Such plantings shall be in accordance with the standards of the Department of Parks and Parkways.

d. *Trash Dumpsters.* Trash dumpsters (and any other type of refuse storage area) that are positioned adjacent to or visible from any other land use or street right-of-way shall be screened from view from them with an opaque wooden fence or masonry wall that is no less than six (6) feet tall.

e. *Loading Area.* Service drives or other areas for off-street loading shall be provided in such a way that during the loading and unloading, no truck will block the passage of other vehicles on the service drive or extend into any other public or private drive or street. All loading areas shall be screened from view from the adjacent properties or street right-of-way with an opaque wooden or masonry fence that is no less than six (6) feet tall.

f. *Lighting.* Light standards shall be limited in height to twenty-five (25) feet and shall not be directed toward any adjacent residential uses.

3. *Signage.*

a. Each business shall be limited to one (1) attached wall or projecting sign. The sign shall be limited to one (1) square foot per linear foot of building width or tenant space to a maximum of seventy (70) square feet. Exterior attached signs shall not project above the first floor of a building.

b. One (1) detached (monument) sign shall be permitted for businesses/uses located along corridors or sections of corridors with at least four (4) lanes. The sign shall be limited to one-half (½) square foot per linear foot of the lot width to a maximum of seventy (70) square feet in area. Maximum permitted height of the detached sign shall be twelve (12) feet. Any detached sign shall be set back from all adjacent public rights-of-way a distance at least equal to the height of the sign.

c. A maximum of two (2) canopy signs shall be permitted for each business but their area shall be counted in the total allowable sign area for the business.

d. The sign may be illuminated but shall not flash, blink or fluctuate. The backlighting of awning containing signage shall not be permitted.

e. Only one interior window sign per business shall be permitted within four (4) feet of the interior face of any window of a building and shall be counted in the total allowable sign area for the business.

4. *Litter Abatement Program.* A litter abatement program acceptable to the Department of Safety and Permits shall be established for each development indicating procedures, pick-up schedule and a contact person.

*(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)*

#### **10.3A.7. Design Review Procedure.**

Prior to the issuance of any permit by the Director of Safety and Permits for new construction, redevelopment, alteration and signage within the Inner-City Urban Corridor District (with the exemption of single and two-family residential buildings), a site plan shall be reviewed and approved by the Executive Director of the City Planning Commission, in accordance with the following procedures:

1. Site Plan Requirements. The applicant shall submit a site plan to the Executive Director of the City Planning Commission which shall contain either an original or reproduced drawing to no less than one inch equals twenty feet (1 inch: 20 feet) and depicting the following items:

a. Site design, including parking, interior drives, landscaping, screening, fencing and lighting, if any. All relevant measurements (lot and building size, driveway width, loading area, etc.) and specification of the proposed improvements including planting materials (type, size, and quantity) shall be indicated on the plan.

b. Floor plans with all relevant measurements and identification of spaces/rooms.

c. Building elevations indicating height, materials and color scheme, and placement of any signage.

d. Signage (proposed location, size, material, color and content).

e. Existing and proposed improvements within the public right-of-way, including but not limited to the following: light posts, benches, bus stops, paving, landscaping.

f. Any other information deemed necessary by the City Planning Commission staff.

2. Decision by the Executive Director. The Executive Director of the City Planning Commission shall review and take action on the plan within thirty (30) days from submission of the application in proper form. Approval of the plan shall be evidenced by the signature of the Executive Director.

*(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)*

#### **10.3A.8. Appeal to City Council.**

Applications for an appeal of the decision of the Executive Director or for a waiver or variance from requirements set forth herein shall be reviewed and approved by the City Council. Upon receipt of the Planning Commission recommendation, the City Council shall advertise the appeal or request for variance or waiver and shall allow discussion prior to making a decision. Failure of the City Council to act within forty-five (45) days of receipt of the City Planning Commission recommendation shall be deemed a denial of the variance or waiver. Approval or denial of the request can be accomplished by City Council Motion and may include provisos which must be satisfied as a condition of the approval.

For the purpose of considering a request for variance of the regulations contained in this section the City Council shall consider the following criteria:

1. The granting of the variance is not inconsistent with the general provisions, intent and purpose of the district regulations.
2. Harmony and compatibility with adjacent land uses would not be adversely affected.
3. Special conditions and circumstances exist which are peculiar to the land, structures or buildings and which are not applicable to other land, structures or buildings in the same district.

*(Ord. 22,518 § 1 (part), adopted 2/15/07; Ord. 22,432 § 1 (part), adopted 1/4/07; Ord. 18,569 § 1 (part), adopted 1/8/98)*

## **EXHIBIT C**

**See attached Survey**

